

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HERMAN WILLIAMS,

Plaintiff,

v.

LUCIAN TESSMANN, *et al.*,

Case No. 1:23-cv-05945

Hon. Sunil R. Harjani

Hon. Daniel P. McLaughlin

JOINT STATUS REPORT

Plaintiff Herman Williams, by and through his attorneys, Romanucci & Blandin, LLC, and Hart McLaughlin & Eldridge, LLC, and Defendant Lucian Tessmann, by and through his counsel, Ekl Williams Provenzale, LLC; Defendant City of Waukegan, Illinois, by and through its counsel, HeplerBroom, LLC; Defendants Charles Fagan, Dennis Pensala, Richard Davies, Kevin Berrill, as Special Representative for Robert Randall, deceased, Leonard Brezinski, Daniel Colin, Lake County, Illinois, Village of Vernon Hills, Illinois, and John Idleburg, in his official capacity as Sheriff of Lake County, by and through their counsel, The Sotos Law Firm, P.C.; Defendant Lake County Major Crimes Task Force, by and through its counsel, Ancel Glink; Defendants Kimberly Garofalo, as Independent Administrator of Gregory Garofalo, deceased, and Village of Gurnee, by and through their counsel, Schain Banks Kenny & Schwartz, Ltd; Defendants Charles Bell and Village of Libertyville, Illinois, by and through their counsel, Rock Fusco and Connelly, LLC; and Defendant Cook County, Illinois, by and through its counsel, Cook County State's Attorney's Office, submit this report on the discovery progress and the prospects of settlement, in accordance with the Court's order:

Discovery Progress

WRITTEN DISCOVERY

The parties have continued to work on written discovery, including supplemental responses and productions after meet and confer.

JAIL CALL RECORDINGS

On May 28, the Court denied Plaintiff's motion to quash Lake County's (second) jail call recording subpoena. Accordingly, the parties expect production of 624 call recordings in the coming weeks.

INSPECTION AND DIGITIZATION OF OLD MEDIA

On May 22, 2025, the parties conducted an evidentiary inspection at the Gurnee Police Department for items relating to the case. Gurnee will be producing additional documents identified in the inspection. In addition, additional media (e.g., videotapes) were identified as part of the inspection. Those tapes will need to be digitized in addition to other old media that are a part of the record in this case.

To that end, the parties have put together a protocol that will govern the evidence handling and digitization process and have agreed on a vendor to handle the digitization. The parties anticipate that process to begin soon, as they first provided the prosecuting agency (Lake County State's Attorney's Office) notice of their intention to digitize old media.

FACT DEPOSITIONS

Completed

The parties have continued fact depositions since their last report. The parties have now completed 14 fact depositions (which is an additional three depositions since the last status report on April 24).

Depositions Scheduled

Currently, six additional depositions have firm, scheduled dates between June 2 and July 10. Some previously scheduled depositions were canceled recently, primarily due to witness availability or health, and are being rescheduled promptly with a view to the August 1 fact deposition deadline. The parties have to reschedule eight (8) depositions.

Plaintiff's deposition is confirmed for June 11. In addition, Defendants have subpoenaed four additional witnesses for documents (primarily family and friends of Plaintiff). Plaintiff is working on responding to those subpoenas on behalf of three of the four. Defendants anticipate scheduling those depositions as well.

Additional Depositions Anticipated

Plaintiff intends to issue Rule 30(b)(6) notices to Defendants Lake County Sheriff, Lake County Major Crimes Task Force, and City of Waukegan, to address *Monell* issues primarily.

Defendants are still evaluating the need for additional third-party depositions based on the depositions already scheduled and based on jail call recordings that will be produced in the coming weeks.

Status of Settlement

The parties have continued discussion regarding the possibility of settlement, including as recently as yesterday (May 28). Defendants are considering Plaintiff's proposal of mediation and mediators. Defendants anticipate providing a response in the coming weeks.

Date: May 29, 2025

HERMAN WILLIAMS

/s/ John Marrese
One of Plaintiff's Attorney's

Antonio M. Romanucci
Sam Harton
Patrick Driscoll
ROMANUCCI & BLANDIN, LLC
321 N. Clark Street, Suite 900
Chicago, Illinois 60654
P. (312) 458-1000
aromanucci@rblaw.net
sharton@rblaw.net
pdriscoll@rblaw.net

Steven Hart
Brian Eldridge
John Marrese
Paige Smith
HART McLAUGHLIN & ELDRIDGE, LLC
One South Dearborn, Suite 1400
Chicago, IL 60603
P. (312) 955-0545
shart@hmelegal.com
beldridge@hmelegal.com
jmarrese@hmelegal.com
psmith@hmelegal.com

Attorneys for Plaintiff Herman Williams

/s/ Josh M. Engquist
JOSH M. ENGQUIST

James G. Sotos
Josh M. Engquist
Laura M. Ranum
Alexis Gamboa
Claudia Fantuzzo
THE SOTOS LAW FIRM, P.C.
141 W. Jackson Blvd., Suite #1240A
Chicago, IL 60604
P. (630) 735-3300
jsotos@jsotoslaw.com
jenquist@jsotoslaw.com
lrانum@jsotoslaw.com

agamboa@jsotoslaw.com
cfantuzzo@jsotoslaw.com

Attorneys for Defendants Charles Fagan, Dennis Pensala, Richard Davies, Kevin Berrill, as Special Representative of Robert Randall, deceased, Leonard Brezinski, Daniel Colin, Lake County, Illinois, and John Idleburg, in official capacity as Lake County Sheriff, and Village of Vernon Hills, Illinois

/S/ Terry A. Ekl
TERRY A. EKL

Terry Ekl (LEAD COUNSEL)
Tracy Stanker
EKL WILLIAMS & PROVENZALE, LLC
901 Warrenville Road, Suite 175
Lisle, IL 60532
P. (312) 242-8214
tekl@ekllwilliams.com
tstanker@ekllwilliams.com

Attorneys for Defendants Lucian Tessmann

/S/ Stephanie W. Weiner
STEPHANIE W. WEINER

Stephanie W. Weiner (LEAD COUNSEL)
Joseph A. Fay
HEPLERBROOM, LLC
70 W. Madison Street, Suite 2600
Chicago, IL 60602
P. (312) 205-7742
stephanie.weiner@heplerbroom.com
joseph.fay@heplerbroom.com

Attorneys for Defendant City of Waukegan, Illinois

/S/ Deborah Anne Ostvig
DEBORAH ANNE OSTVIG

Michael E. Kujawa (LEAD COUNSEL)
Deborah Anne Ostvig
SCHAIN BANKS KENNY & SCHWARTZ, LTD.
70 W. Madison Street, Suite #5400
Chicago, IL 60602
P. (312) 345-5700
mkujawa@schainbanks.com
dostvig@schainbanks.com

Attorneys for Defendants Kimberly Garofalo, as Independent Administrator of the Estate of Gregory Garofalo, deceased, and Village of Gurnee, Illinois

/S/ Andrew J. Grill
ANDREW J. GRILL

Eileen E. Rosen (LEAD COUNSEL)
Andrew J. Grill
Brittany D. Johnson
ROCK FUSCO & CONNELLY, LLC
333 W. Wacker Drive, 19th Floor
Chicago, IL 60606
P. (312) 494-1000
erosen@rfclaw.com
agrill@rfclaw.com
bjohnson@rfclaw.com

Attorneys for Defendants Charles Bell and Village of Libertyville, Illinois

/S/ _____
REBECCA LAUE

Rebecca Laue
Jessica Wasserman
COOK COUNTY STATE'S ATTORNEY'S OFFICE
500 Richard Daley Center
Chicago, IL 60602
Rebecca.laue@cookcountysao.org
jessica.wasserman@cookcountysao.org

Attorneys for Defendant Cook County, Illinois

/S/ _____
THOMAS G. DiCIANNI

Thomas G. DiCianni
Ancel Glink
140 S. Dearborn, 6th Fl.
Chicago, IL 60603
tdicianni@ancelglink.com

Attorneys for Lake County Major Crimes Task Force